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**FACSIMILE TRANSMITTAL**

<b>TO:</b> Examiner Wei	<b>FROM:</b> Ronald M. Pomerence, Esq.
<b>COMPANY:</b> USPTO	<b>DATE:</b> November 30, 2012
<b>FAX NUMBER:</b> 571-270-2059	<b>TOTAL NO. OF PAGES, INCLUDING COVER:</b> 4
<b>PHONE NUMBER:</b>	<b>SENDER'S REFERENCE NUMBER:</b> WILY-01013US0
<b>RE:</b> Proposed claim amendments	<b>YOUR REFERENCE NUMBER:</b> Application No. 10/700,338

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**NOTES/COMMENTS:**

I have attached a set of proposed claim amendments for your review.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application	)	<u>PATENT APPLICATION</u>
Inventor: Cirne et al.	)	Art Unit: 2192
Application No.: 10/700,338	)	Examiner: Wei, Z.
Filed Date: November 3, 2003	)	
Title: SIMPLE METHOD OPTIMIZATION	)	<u>Customer No. 105234</u>
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PROPOSED CLAIM AMENDMENTS

The Applicants are proposing the following claim amendments in response to the proposed amendments FAXed to the Applicants on November 28, 2012. The Applicants hereby authorize the Examiner to enter these amendments if it results in allowance of all claims in the application. If there are any questions, the Examiner is invited to contact the Applicants' representative at the number below.

1. (counter proposal) A process for monitoring, comprising:

accessing a method;

automatically determining whether to modify said method, said step of automatically determining whether to modify said method includes automatically determining whether said method calls another method and whether said method has an access level that satisfies a criterion, wherein said criterion is a level of access control for said method that is provided by a programming language; and

modifying said method for a particular purpose only if said method calls another method and said access level satisfies said criterion.

13. (counter proposal) A process for monitoring, comprising:

automatically determining which methods of a set of methods call one or more other methods and are synthetic, wherein a synthetic method is a compiler generated method; and

using a first tracing mechanism for said methods that call one or more other methods and are not synthetic without using said first tracing mechanism for methods that do not call one or more other methods or are synthetic.

22. (counter proposal) One or more non-transitory processor readable storage devices having processor readable code embodied on said processor readable storage devices, said processor readable code for programming one or more processors to perform a process comprising:

automatically determining which methods of a set of methods to modify, said step of determining includes automatically determining which methods call one or more other methods and have an access level of either public or package in the JAVA programming language; and

modifying for a particular purpose only those methods that call one or more other methods and have an access level of either public or package in the JAVA programming language.

33. (counter proposal) One or more non-transitory processor readable storage devices having processor readable code embodied on said processor readable storage devices, said processor readable code for programming one or more processors to perform a process comprising:

automatically determining whether to trace a method, said step of determining includes automatically determining whether said method calls another method and if said method has an access level that satisfies a criterion, wherein said criterion is a level of access control for said method that is provided by a programming language; and

tracing said method for a particular purpose only if said method calls another method and said access level satisfies the criterion.

40. (counter proposal) An apparatus capable of monitoring, comprising:

a storage device; and

one or more processors in communication with said storage device, said one or more processors perform a process comprising:

accessing a method,

determining whether said method calls one or more different methods and can be called by a sufficient scope of one or more other methods, wherein determining the sufficient scope comprises determining a level of access control for said method that is provided by a programming language, and

tracing said method for a particular purpose only if said method calls one or more different methods and can be called by a sufficient scope of one or more other methods.